

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 08-20674

ANTHONY A. JAMES,

Defendant.

ORDER DENYING AS MOOT DEFENDANT'S MOTION FOR RECONSIDERATION

Before the court is Defendant Anthony James's motion for reconsideration of the court's February 3, 2012 order. The court denied Defendant's request for a descriptive list of exhibits and trial stipulations, stating that it does not retain exhibits after the conclusion of a trial and neither an exhibit list nor a list of stipulations was filed on the docket. (2/03/2012, Dkt. # 77.) In its response to Defendant's motion for reconsideration, the Government indicates that during a colloquy on April 14, 2010, the court, Defendant's counsel, and the Government discussed the filing of a final exhibit list and trial stipulations the following day. (Gov't's Resp. to Def.'s Mot. Reconsideration ¶ 5.) Counsel, however, never filed the documents with the court. (*Id.*) The Government has apparently located two documents in its electronic case file that correspond with Defendant's requests and has attached them as exhibits to its response. (*Id.* at ¶ 6.) The Government also attests to the authenticity of the documents by stating that each document's "electronic stamp" indicates that the documents were last modified on April 15, 2010, the day after counsel and the court discussed filing the documents on the

docket. (*Id.* ¶ 6.) Because Defendant is now in possession of the Government's exhibit list and the trial stipulations, his motion is moot. Accordingly,

IT IS ORDERED that Defendant's motion for reconsideration [Dkt. # 78] is
DENIED AS MOOT.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: May 31, 2012

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, May 31, 2012, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522